

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In Re:)
) Case No.: 24-01656-DSC13
TATIANA LESHAE DUNKLIN,)
SSS: ###-##-5909)
)
)
Debtor.)
)

TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS

COMES NOW Bradford W. Caraway, Chapter 13 Standing Trustee, and objects to the confirmation of Debtor's plan and moves to dismiss this case based upon the following grounds:

1. The Debtor is not paying as proposed in the plan.
2. The plan payments proposed by the Debtor are insufficient to fund the plan. The Trustee recommends payments of \$763.00 monthly for a 0% composition plan to pay the proposed plan within 5 years .
3. However, the recommended payments are not feasible as required by 11 U.S.C. § 1325(a)(6) because they exceed the projected disposable income listed in the Debtor's schedules.
4. The fixed payment of \$526 monthly offered to Credit Acceptance will not cure claim no. 1 with interest within 54 months. The Trustee recommends a fixed payment of \$537.00 monthly instead.
5. Schedule J lists a monthly expense for automobile installment payment of \$574.97 that is not disclosed in the petition and not payment not provided for in the plan.
6. The plan provides for fixed payments to begin January 2025, which an unreasonable delay to creditors.

WHEREFORE, the Trustee objects to the confirmation of the Debtor's plan and moves to dismiss this case. The Trustee prays for such other relief as the Court deems appropriate.

Bradford W. Caraway

KM

Chapter 13 Standing Trustee

By: /s/Charles E. King
Charles E. King
Assistant Trustee
Post Office Box 10848
Birmingham, Alabama 35202
(205) 323-4631

CERTIFICATE OF SERVICE

I hereby certify that a correct copy of the forgoing Objection has been forwarded by email or U.S. Mail to the following on this the 16th day of July 2024:

THE LAW OFFICES OF KEITH R MARTIN

TATIANA LESHAE DUNKLIN
7221 FAUCETT CUT OFF RD
PINSON, AL 35126

/s/Charles E. King
Assistant Trustee

KM